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September 26, 2017

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Advanced Methods to Target and Eliminate Unlawful Robocalls*
CG Docket No. 17-59, Second Notice of Inquiry, July 13, 2017

Dear Ms. Dortch:

On behalf of Anthem, Inc. (“Anthem”), a health benefits company with one of the largest memberships in the United States, I write in reply to support the Federal Communications Commission’s (“FCC”) proposal to create a database to serve as a “comprehensive reassigned number resource.” Anthem relies on modern telephony to transmit health care information to its members, and this outreach is welcomed by consumers and leads to better health outcomes.¹

This letter responds to positions taken in the joint comments filed by the National Consumer Law Center, Consumer Action, Consumer Federation of America, Consumers Union, National Association of Consumer Advocates, Public Citizen, Public Knowledge, and U.S. PIRG (collectively, the “Consumer Advocates”).² The Consumer Advocates, like Anthem, support creation of a comprehensive reassigned number resource. We both recognize the value to consumers in reducing the number of unwanted calls. However, Anthem requests the FCC to reject certain restrictions on the use of a reassigned number database suggested by the Consumer Advocates.

¹ See Comment of Chad R. Fuller on behalf of Anthem, Inc. (Aug. 28, 2017), *in response to* Advanced Methods to Target and Eliminate Unlawful Robocalls, Second Notice of Inquiry, CG Docket No. 17-59, FCC 17-90, 2017 WL 30000795 (July 13, 2017), *available at* <https://ecfsapi.fcc.gov/file/1082849138726/Anthem%20FCC%20Comment%20to%20Reassign%20Number.pdf>.

² See Comment of Consumers Union, et al. (June 30, 2017), *in response to* Advanced Methods to Target and Eliminate Unlawful Robocalls, Notice of Proposed Rulemaking and Notice of Inquiry, CG Docket No. 17-59, FCC 17-24, 32 FCC Rcd. 2306 (Mar. 23, 2017), *available at* <https://ecfsapi.fcc.gov/file/10630190057273/Robocalls%20NPRM%20and%20%20NOI%20final.pdf>.

1. One-by-one access would make the database overly cumbersome, draining its value to good-faith callers.

The Consumer Advocates propose that access to the database be available only using a one-by-one lookup function, and hence no batch feed of the database would be available to users. This proposal would mean that a calling party, such as Anthem, would have to look up each number individually rather than obtaining the entire list through a batch feed to integrate into the caller's systems. The Consumer Advocates' proposal would drive up costs of using the database immensely. Instead of using highly efficient and accurate automated processes, callers would need to create inefficient, error-prone manual processes.

Anthem suggests instead that the FCC follow the established model of the National Do Not Call Registry (the "DNC Registry"). Under this model, users subscribe to the DNC Registry, obtain monthly downloads of the entire dataset, and then incorporate that data into their internal systems for scrubbing numbers. Users build internal systems so that before a number is called, it can be scrubbed against the list using automated processes. Numbers on the DNC Registry are flagged and removed from a calling list. This time-tested and well-accepted process works efficiently and accurately to benefit companies and consumers. There is no reason to deviate from that established model here.

2. A 24-hour standard of care would create massive redundancy in number verification, increasing burdens and costs in compliance.

The Consumer Advocates argue that calling parties should have legal protection for relying in good faith on the database only if the database is checked within 24 hours of a call. Hence, the Consumer Advocates ask that the FCC establish a standard of care that calling parties cannot rely on data from the database more than 24 hours after it is obtained.

This proposal would also drive up costs of using the database. To comply with the standard of care, a calling party would be required to recheck the data once a day if a calling campaign is underway. Anthem, given its care management call programs and requirements, would have to implement a system to check tens of millions of numbers continuously on a daily cycle to allow for numbers to be disseminated and made available in its systems.

Anthem again suggests following the established model of the DNC Registry. Under the established model, users subscribe to the DNC Registry to obtain the data monthly, and are protected so long as the list is no more 31 days old. There is no reason to deviate from the established model here.

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In sum, Anthem urges the FCC to follow the established DNC Registry model in terms of batch-feed access and a standard of care based on monthly updates of the reassigned number database.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad R. Fuller". The signature is fluid and cursive, with the first name "Chad" being the most prominent.

Chad R. Fuller